

Staff Summary Report



Hearing Officer Hearing Date: May 1, 2007

Agenda Item Number: 4

SUBJECT: This is a public hearing for a request by the **CLEARWIRE (PL070139)** located at 2404 West 12th Street for one (1) use permit.

DOCUMENT NAME: 20070501dssd01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **CLEARWIRE (PL070139)** (Brandon Brown, Clearwire/Powder River, applicant; American Tower Corporation, property owner) located at 2404 West 12th Street in the GID, General Industrial District for:

ZUP07045 Use permit to allow co-location of additional antennas on an existing eighty foot (80') monopole.

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

REVIEWED BY: Steve Abrahamson, Senior Planner (480-350-8359)

FINAL REVIEW BY: Lisa Collins, Planning Director (480-350-8989)

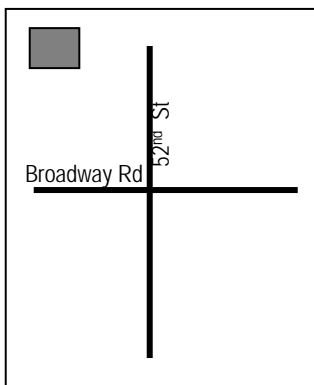
A handwritten signature in black ink, appearing to be 'L Collins', written over the printed name.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approved subject to Conditions 1-4

ADDITIONAL INFO: The applicant, Clearwire Wireless is seeking a use permit to allow the co-location of new antennas on an existing eighty foot (80') monopole. The project is located 2404 West 12th Street in the GID, General Industrial District. The proposed antennas will be mounted at forty-two feet (42'), below the existing antennas. The associated equipment will be located within the existing, adjacent building. To date, no public input has been received. Staff recommends approval of the proposal as submitted, with conditions.



ATTACHMENTS:

1. List of Attachments
 2. Comments; Reason for Approval
 3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference
-
- A. Location Map(s)
 - B. Aerial Photo(s)
 - C. Letter of Intent
 - D. Site plan
 - E. Floor Plan
 - F. Elevations
 - G. Photograph(s)

COMMENTS:

The applicant, Clearwire Wireless is seeking a use permit to allow the co-location of new broadband internet antennas on an existing eighty foot (80') monopole. The project is located 2404 West 12th Street in the GID, General Industrial District. The proposed antennas will be mounted at forty two foot (42'), below the existing antennas. The proposal consists of three (3), four (4) foot sectors with one (1) or two (2) antennae each. The associated ground equipment will be placed within a 7' x 7' lease area within the existing, adjacent building.

To date, staff has received no public input on this case.

Use Permit

The Zoning and Development Code requires a use permit for a wireless telecommunications antenna in all allowable zoning districts including the GID, General Industrial District. This use permit request meets all applicable tests in the following manner:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - As the proposal is for a wireless antenna; there should be no nuisances.
- c. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding the uses.

Conclusion

Staff recommends approval of the use permit, subject to conditions of approval.

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

**CONDITION(S)
OF APPROVAL:**

1. Obtain all necessary clearances from the Building Safety Division.
2. Any intensification or expansion of use, including co-location of additional antennas, will require a new use permit.
3. The wireless device shall be removed within 30 days of discontinuance of use.
4. The antennas shall be painted to match the existing monopole

HISTORY & FACTS:

July 22, 1987

A87-7.18: Board of Adjustment approved a use permit to allow a one hundred foot (100') monopole for US WEST/NEW VECTOR GROUP. (An 80' monopole was actually installed)

DESCRIPTION:

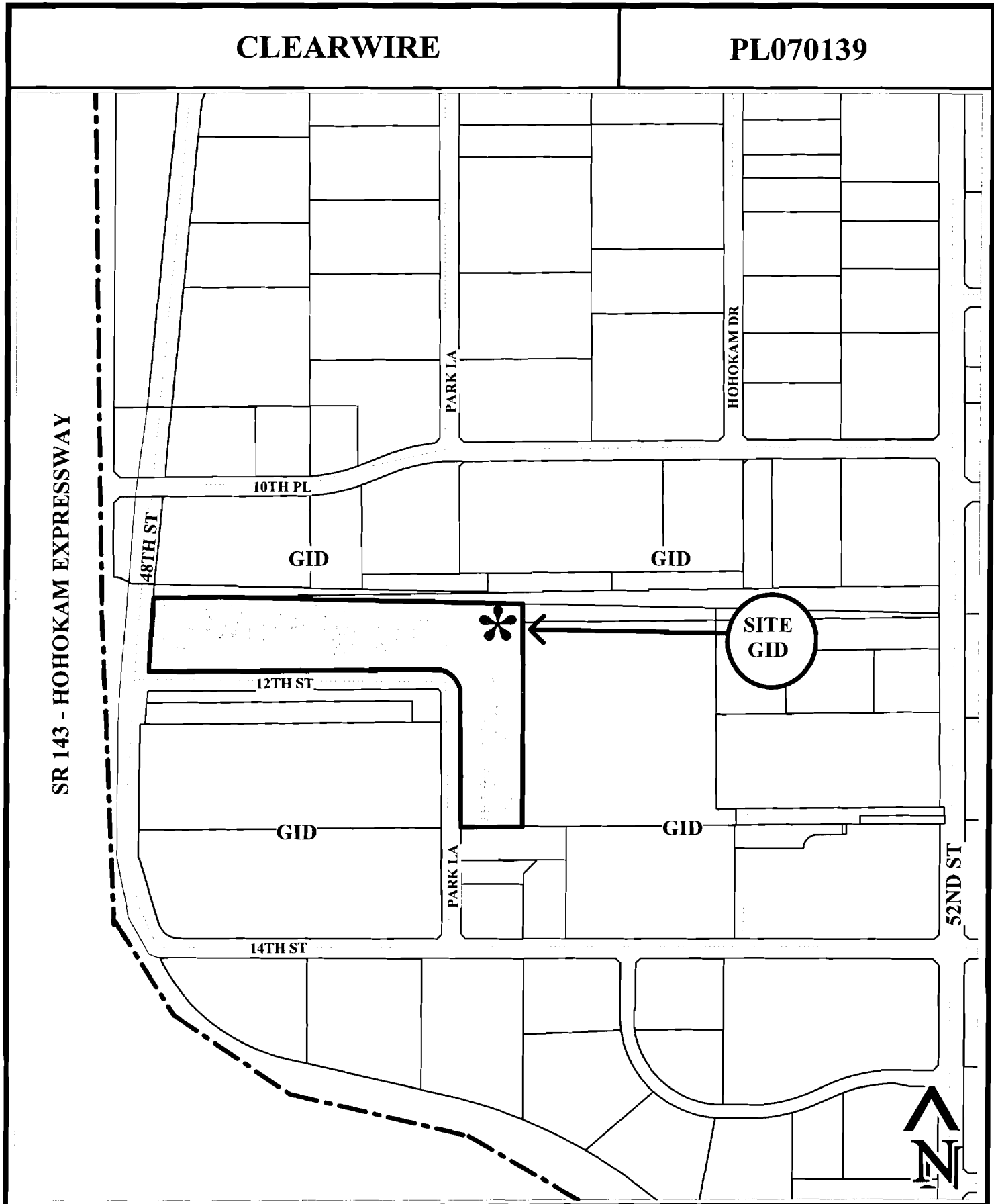
Owner – American Tower Corporation
Applicant – Brandon Brown, Clearwire/Powder River
Existing zoning – GID, General Industrial District
Existing Monopole Height– 80'
Proposed Antenna Height–42'

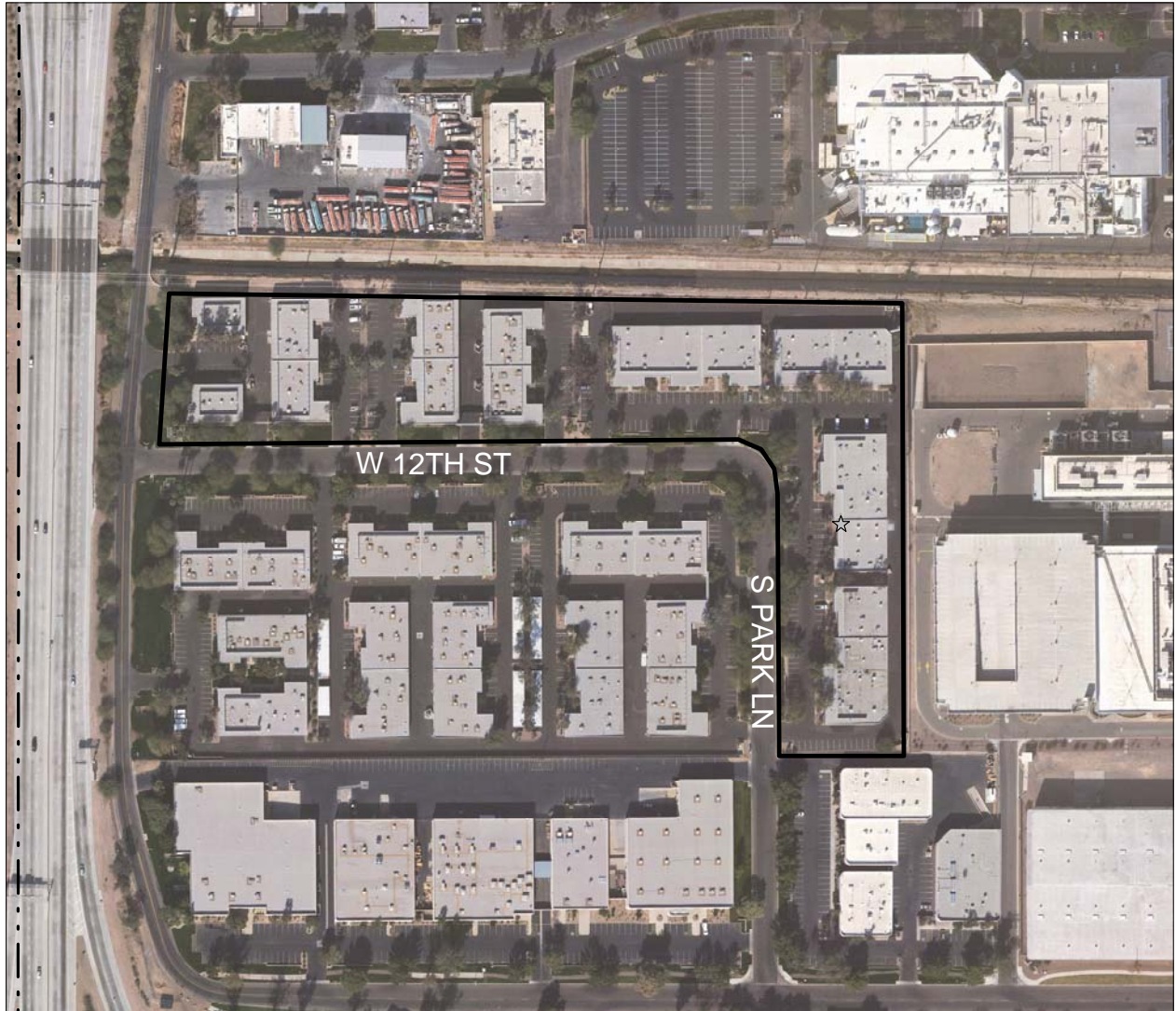
**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 3, Section 3-302 – Permitted Uses in Office/Industrial Districts
Part 3, Section 3-421 - Wireless Telecommunications Facilities
Part 6, Section 6-308 Use Permit

CLEARWIRE

PL070139





CLEARWIRE (PL070139)

CLEARWIRE AZ-PHX176 CO-LOCATION 2404 West 12th Street, Tempe, AZ 85281

Clearwire, a broadband Internet service provider, is a new Internet service provider to the Phoenix Metropolitan Area. At this point in time all of the Clearwire sites will be co-location on existing poles or vertical elements. Clearwire is requesting to co-locate on the existing monopole. Clearwire is proposing three (3) 4-foot sectors (T-Arm mounts) with one or two antennas per sector with a total of three to six antennas total. The associated equipment, which is much smaller than most wireless phone company providers, will be mounted to the tower. The following is an outline of the limitations to the area and how Clearwire will comply with all Federal, State, and Local Regulations with respect to wireless communication facilities:

- Utilizing existing communication facility due to other facilities in a 1-mile radius of the subject site would have required extensive site modification or a new structure.
- Public utility poles lacked the available ground space needed and the appropriate height for the Radio Frequency signal.
- Other existing vertical elements were eliminated due to unwilling landlords, unavailable height, ground space, and physical site restraints.
- This particular parcel was chosen due to the existing vertical element and available space.
- The coaxial cable will be routed thru the inside of the tower.

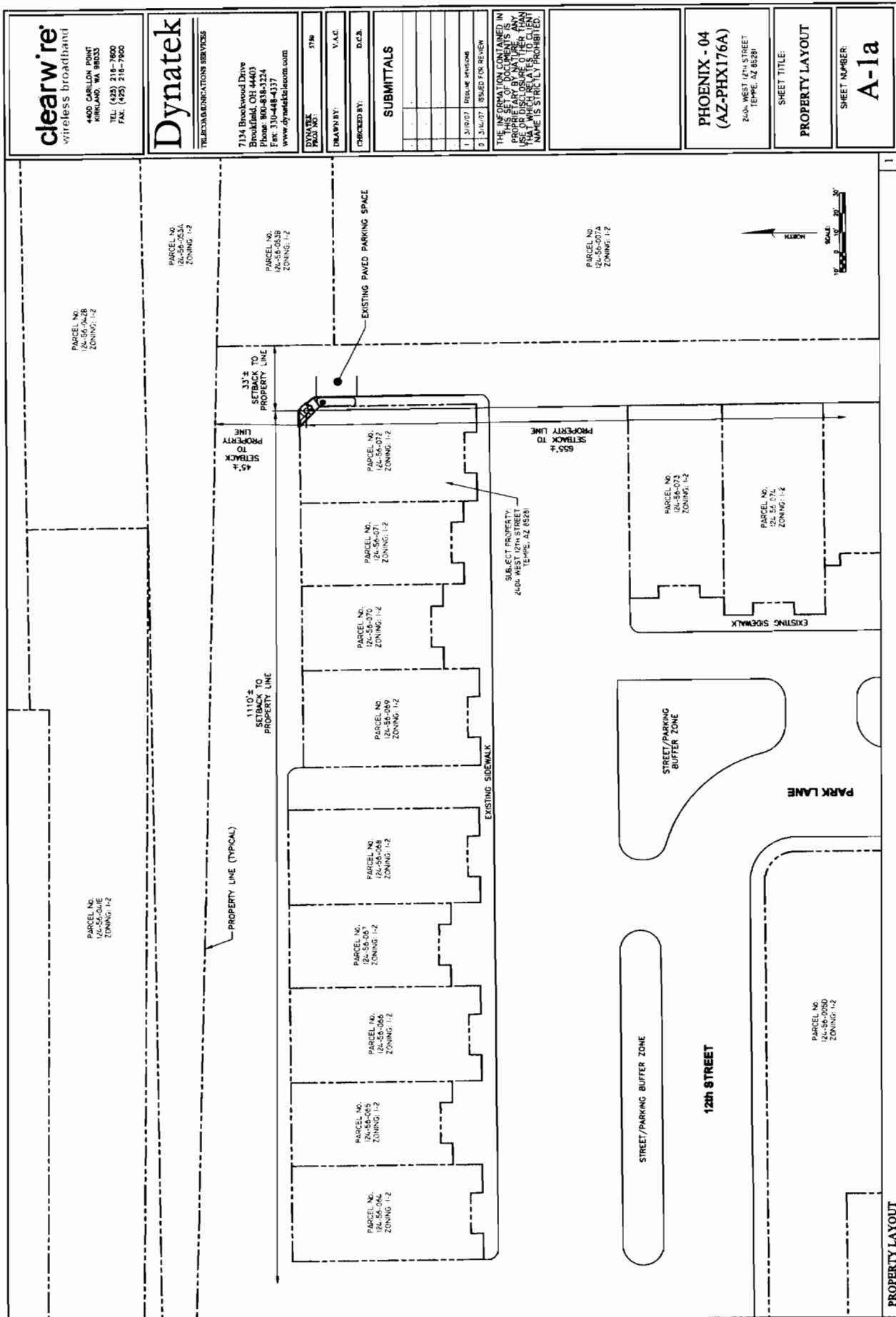
The proposed design will be engineered certified to be in compliance with all Zoning Ordinances, Uniform Building, Electric, and Fire Codes. The proposed wireless communication facility will meet or exceed all Federal, State, Local Government agency requirements including the Federal Communication Commission (FCC) and the Radio Frequency (RF) exposure standards. As a result, the proposed project will be in compliance with all sections of the Tempe zoning ordinance and code requirements.

Clearwire is excited about the opportunity to bring enhanced service to the Tempe area. As a result, residents and tourist will benefit from the improved coverage and options available. The improvements will help to enhance E-911, City and Public communication services. Therefore, Clearwire is requesting the Cities support in the subject proposal.

Please refer to the drawings and supplemental information for any further clarification.

BRANDON BROWN
For Clearwire and Powder River

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PROJECT NO: 5756

DRAWN BY: V.A.C.

CHECKED BY: D.C.B.

SUBMITTALS

1	3/16/07	REVISE RESPONSE
2	3/16/07	ISSUED FOR REVIEW

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**PHOENIX - 04
(AZ-PHX176A)**

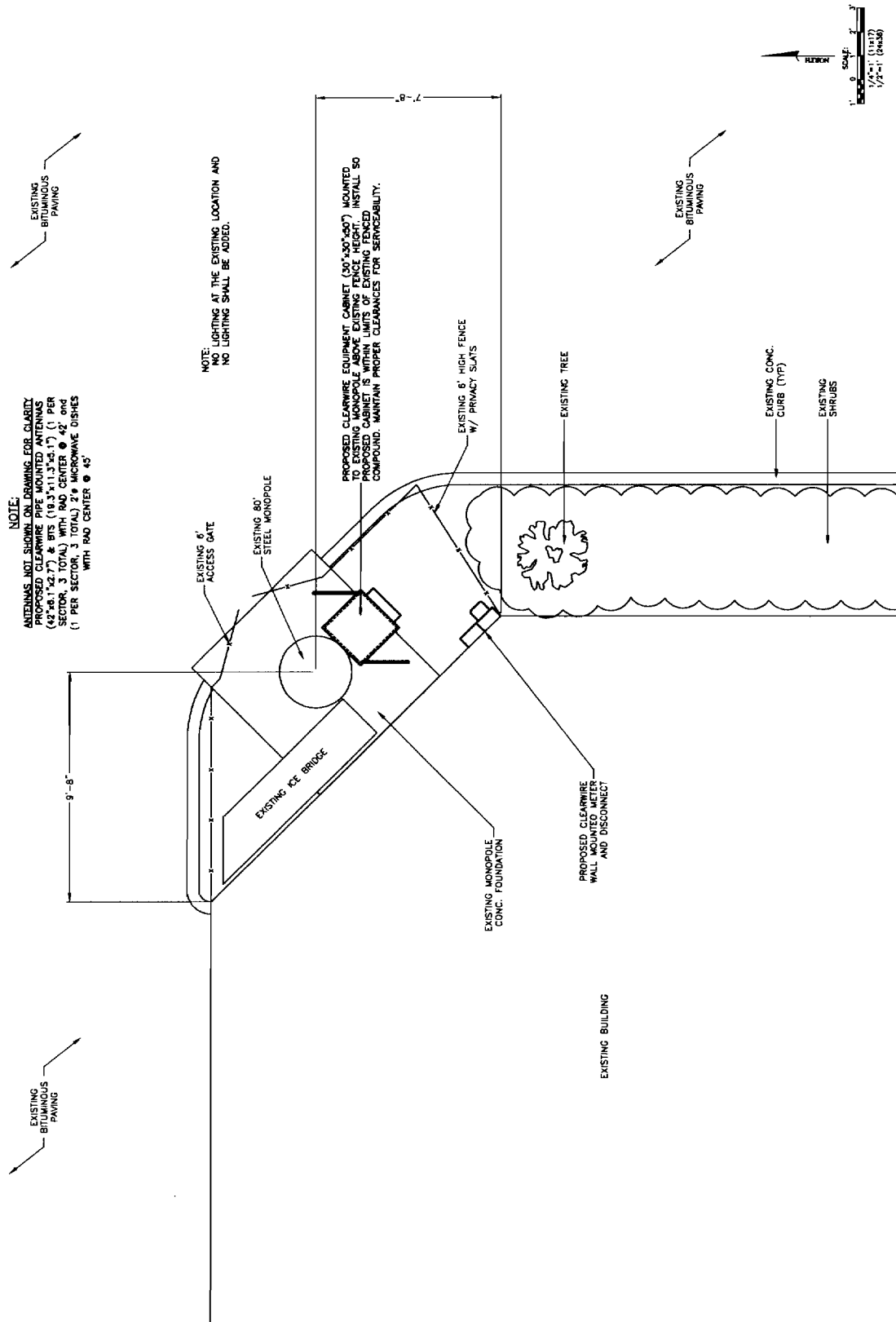
2400 WEST 12TH STREET
TEMPE, AZ 85281

SHEET TITLE:

SITE PLAN

SHEET NUMBER:

A-1



SITE PLAN

Clearwire AZ-PHX176

View of existing compound



View of site looking east

